

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS DAVIS,	:	
Plaintiff	:	
	:	
v.	:	No. 2:02-CV-04519-PBT
	:	
MARCIA WALDRON,	:	
CLERK, UNITED STATES COURT	:	
OF APPEALS FOR THE THIRD	:	
CIRCUIT, <i>et al.</i> ,	:	
Defendants	:	
	:	

DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT AS
FRIVOLOUS FOR FAILURE TO STATE A CLAIM
PURSUANT TO FED.R.CIV.P. 12(b) (6)

The defendants, by their attorneys Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania, and Stephen J. Britt, Assistant United States Attorney for the district, move the Court to dismiss the complaint as frivolous, for the reasons set out in the accompanying memorandum of law.

Respectfully submitted,

PATRICK L. MEEHAN
United States Attorney

VIRGINIA A. GIBSON
Assistant United States Attorney
Chief, Civil Division

STEPHEN J. BRITT
Assistant United States Attorney